

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

TEQUILA JOHNSON,

Plaintiff,

v.

CORPORATION SERVICE COMPANY
d/b/a FAMILY DOLLAR,

Defendant.

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No.

JURY DEMANDED

NOTICE OF REMOVAL

Without submitting to the jurisdiction of this Court and without waiving any available defenses, including, without limitation, lack of jurisdiction, improper venue, statute of limitations, insufficient process, insufficient service of process, and failure to state a claim upon which relief can be granted, Defendant Corporation Service Company d/b/a Family Dollar (hereinafter “Family Dollar”), by and through counsel and pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, hereby files this Notice of Removal of the above-described action to the United States District Court for the Eastern District of Tennessee at Knoxville from the Circuit Court for Knox County, Tennessee, where the action is now pending, and states as follows:

1. The Plaintiff commenced this cause of action in the Circuit Court for Knox County, Tennessee on September 10, 2021. Family Dollar received notice of this lawsuit on September 16, 2021. Therefore, this removal is timely.

2. This is a civil action for damages arising out of alleged injuries sustained in a fall on or about September 15, 2020. (Compl. ¶ 4). The United States District Court for the Eastern District of Tennessee at Knoxville has jurisdiction by reason of diversity of citizenship of the parties.

3. This suit is between citizens of different states. At all times relevant to this lawsuit, the Plaintiff was a resident and citizen of Tennessee. (Compl. ¶ 1).

4. Family Dollar is a Virginia corporation with its principal place of business in Virginia. Family Dollar is not a citizen of Tennessee.

5. The matter in dispute exceeds \$75,000, exclusive of interest and costs, based on a fair reading of the Plaintiff's Complaint. The "Plaintiff respectfully prays judgment against the Defendant for compensatory damages in the sum of \$375,000.00" (Compl.). Thus, the jurisdictional amount is satisfied in this case.

6. Family Dollar attached copies of the Summons and Complaint as Exhibit 1.

7. Family Dollar will give written notice of the filing of this Notice as required by 28 U.S.C. § 1446(d).

8. A copy of this Notice will be filed with the Clerk of the Circuit Court for Knox County, Tennessee as required by 28 U.S.C. § 1446(d).

WHEREFORE, Family Dollar requests this action proceed in this Court as an action properly removed to it.

Dated this 15th day of October, 2021.

Respectfully submitted,

CARR ALLISON

BY: /s/ Chancey R. Miller
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CERTIFICATE OF SERVICE

I hereby certify that on October 15, 2021, I electronically filed this **NOTICE OF REMOVAL** with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

Timothy J. Crosby
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CARR ALLISON

BY: /s/ Chancey R. Miller
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